

FILED 09 AUG 19 16:21 USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HARRY AND DAVID,

Plaintiff,

v.

ANSHU PATHAK,

Defendant.

Civ. No. 09-3013-CL

ORDER

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). No objections have been filed. This court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I have reviewed the legal issues *de novo*. I find no error. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#13) is adopted. Defendant's motion to dismiss (#7) is denied. Plaintiff's motion to strike (#8) is denied.

IT IS SO ORDERED.

DATED this 19 day of August, 2009.

A handwritten signature in cursive script, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE